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5 ARCELIO JOSEPH REYBOL,  
6 Plaintiff,  
7 v.  
8 SECRETARY OF STATE, et al.,  
9 Defendants.

10 Case No. 23-cv-04696-JCS  
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**13 ORDER TO SHOW CAUSE WHY  
14 CASE SHOULD NOT BE DISMISSED  
15 FOR LACK OF FEDERAL  
16 JURISDICTION**

17 Plaintiff, proceeding pro se, has filed a complaint in which he has sued the “California  
18 Secretary of State” and the “California District Attorney” in order to be place on the ballot as a  
19 candidate for the position of the governor of California. On his form complaint, Plaintiff has  
written “neither” in the section entitled “Jurisdiction,” which contains check boxes for diversity  
jurisdiction and federal question jurisdiction. Neither box is checked.

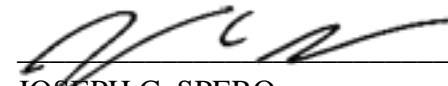
20 The Complaint reflects that Plaintiff is a resident of Hercules, California and Plaintiff  
21 confirmed at the December 15, 2023 case management conference that he has resided in Hercules  
22 for the last eight years. The named defendants also are citizens of California. Therefore, it  
23 appears that there is no diversity jurisdiction under 28 U.S.C. § 1332, which provides for federal  
24 jurisdiction only where the parties are citizens of different states and the amount in controversy  
25 exceeds \$75,000. Furthermore, Plaintiff has not identified any federal question in his complaint  
26 and therefore, it appears that there is no federal question jurisdiction under 28 U.S.C. § 1331.

27 Accordingly, Plaintiff is ORDERED TO SHOW CAUSE why this case should not be  
28 dismissed for lack of federal jurisdiction. Plaintiff may file a written response to this Order to

1 Show Cause addressing federal jurisdiction or, in the alternative, an amended complaint  
2 establishing federal jurisdiction over the case, within thirty (30) days.

3 **IT IS SO ORDERED.**

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5 Dated: December 15, 2023

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8 JOSEPH C. SPERO  
9 United States Magistrate Judge

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United States District Court  
Northern District of California